UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/629,571	07/30/2003	Athena Christodoulou	300201988-3	6465

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EXAMINER
NGUYEN, THUONG

ART UNIT	PAPER NUMBER
2155	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED <u>22 June 2007</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☐ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

  a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.

  b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

    Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

<u>NOTICE OF APPEAL</u>

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

<u>AMENDMENTS</u>

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because

  (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);

  (b) ☐ They raise the issue of new matter (see NOTE below);

  (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

  (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

    NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicant's reply has overcome the following rejection(s): _____.

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

  The status of the claim(s) is (or will be) as follows:

  Claim(s) allowed: <u>None</u>.

  Claim(s) objected to: <u>None</u>.

  Claim(s) rejected: <u>1-24</u>.

  Claim(s) withdrawn from consideration: <u>None</u>.

<u>AFFIDAVIT OR OTHER EVIDENCE</u>

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

<u>REQUEST FOR RECONSIDERATION/OTHER</u>

11. ☐ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
_____.

12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.

13. ☒ Other: <u>See Continuation Sheet</u>.

/SALEH NAJJAR/
SUPERVISORY PATENT EXAMINER

Continuation of 13. Other: Response to Arguments

1.   Applicant's arguments filed 6/22/07 have been fully considered, however they are not persuasive because of the following reasons:

2.   In response to applicant's argument that Bates and Kolsky neither teach nor suggest actuating the link. In response to Applicant's argument, the Patent Office maintains the rejection because Bates and Kolsky do teach actuating the link (figure 4-6; col 9, lines 13-40; Bates discloses that the method of generating follow links in response to a user directing input to the display representation of a hypertext link). Moreover, Bates discloses the method of activating the links by clicking on the hypertext link. Therefore, Bates meets the claim limitation.

3.   In response to applicant's argument that it is unclear how the teaching of Kolsky, which are directed to an additional aliasing protocol layer, can be combined with the teaching of bates, which are directed to bookmarks for a user's favorite web pages. In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See In re McLaughlin, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971). Accordingly, Kolsky discloses the method of identified the alias is an address of a web page and the alias displayed by the browser (page 2, paragraph 11, 13-19; page 5, paragraph 51-52).

4.   In response to applicant's argument that Bates and Kolsky neither teach nor suggest an alias corresponding to an address of a server which adapted to translate the alias into an address of a server on which a copy of the sub-page is hosted. In response to Applicant's argument, the Patent Office maintains the rejection because Bates and Kolsky do teach an alias corresponding to an address of a server which adapted to translate the alias into an address of a server on which a copy of the sub-page is hosted (col 7, lines 25-35; Bates discloses that the method of navigate to one or more of a plurality of available targets which identified by its storage location URL or filename, path and other manners of addressing a document). Moreover, Bates discloses that the method of displaying the alias name for the particular link other than the address of the server. Therefore, Bates meets the claim limitation.

5.   In response to applicant's argument that Bates and Kolsky neither teach nor suggest a determination is made as to whether actuation of a first link has been successful on the basis of a predetermined criterion, and if the determination is that the actuation of the first link was not successful, to then perform actuation of another link. In response to Applicant's argument, the Patent Office maintains the rejection because Bates and Kolsky do teach a determination is made as to whether actuation of a first link has been successful on the basis of a predetermined criterion, and if the determination is that the actuation of the first link was not successful, to then perform actuation of another link (figure 6 & 11; col 10, lines 1-24 & lines 48-50; col 11, lines 43-54; Bates discloses that the method of based on the particular type of link activated by a user, the link type of a particular link may be determined from the user's setting to be display on the user representation and passing the block to determined whether additional URL's remain to be processed in the link if the document was not successfully retrieve). Moreover, Bates discloses the method of determined whether or not the URL successfully retrieve to display, if not then continue until the page is display. Therefore, Bates meets the claim limitation.

6.   In response to applicant's argument that Bates and Kolsky neither teach nor suggest teach determining whether a connection has been established with a server within a predetermined period of time. In response to Applicant's argument, the Patent Office maintains the rejection because Bates and Kolsky do teach determining whether a connection has been established with a server within a predetermined period of time (figure 7 & 8; col 11, lines 60 - col 12, lines 55; Bates discloses that the method of updating the pre-determined criteria to display the target links). Moreover, Bates discloses that the method of recording the period of time which call ping time for various targets of the hypertext document being display and also set the predetermined amount of time for the time-out condition to re-direct or display the selected link. Therefore, Bates meets the claim limitation.

7.   In response to applicant's argument that Bates and Kolsky neither teach nor suggest the predetermined criterion is the greatest progress in establishing full connection with one of the servers after a specified interval of time following simultaneous actuation of all links. In response to Applicant's argument, the Patent Office maintains the rejection because Bates and Kolsky do teach the predetermined criterion is the greatest progress in establishing full connection with one of the servers after a specified interval of time following simultaneous actuation of all links (col 6, lines 15-50; Bates discloses that the method of established the connection with the server). Moreover, Bates discloses the method of established the connection with the server regardless whether it is the greatest process or not, because of the indefinite language of the claim. Therefore, Bates meets the claim limitation.

8.   In response to applicant's argument that Bates and Kolsky neither teach nor suggest plurality of links each pointing to a different predetermined address within the Internet, each predetermined address being an address of a further server hosting a copy of the sub-page. In response to Applicant's argument, the Patent Office maintains the rejection because Bates and Kolsky do teach plurality of links each pointing to a different predetermined address within the Internet, each predetermined address being an address of a further server hosting a copy of the sub-page (col 3, lines 20-30; col 23, lines 1-20; Bates discloses that the method of displayed the pop-up menu, which connected with the link type and list of URL's that are displayed when the pointer is disposed over the display representation of the hyperlink). Moreover, Bates discloses that the method of activates a particular multi-target link and display the alias to the user other than the actual address to the server based on the criteria. Therefore, Bates meets the claim limitation.

9.   In response to applicant's argument that Bates and Kolsky neither teach nor suggest an alias being an address of a server that is adapted to translate an address of one of further servers. In response to Applicant's argument, the Patent Office maintains the rejection because Bates and Kolsky do teach suggest an alias being an address of a server that is adapted to translate an address of one of further servers (col 7, lines 25-60; Bates discloses that the method of navigate to one or more of a plurality of available targets which identified by its storage location URL or filename, path and other manners of addressing a document). Moreover, Bates discloses that the method of displaying an alias of the hypertext link other than the actual addresses of the server. Therefore, Bates meets the claim limitation.

10.   In response to applicant's argument that Bates and Kolsky neither teach nor suggest random selection of links to be actuated when a link on a web page is selected by a user. In response to   Applicant's argument, the Patent Office maintains the rejection

because Bates and Kolsky do teach random selection of links to be actuated when a link on a web page is selected by a user (figure 23; col 22, lines 10 - col 23, lines 40; Bates discloses that the method of actuated links once the user selected one of the links display on the browser either by enter the link or by select the drop down button). Therefore, Bates discloses the claim invention such as actuated links on a web page when the user selected the particular links.